

REGIONS TOWER

Issue: Vertical accessibility in a parking garage.

Analysis: The applicant is requesting a waiver from providing an elevator to an existing parking facility having 468 spaces in the garage and 60 surface spaces. The owner is planning to add an additional space containing 108 spaces. The building currently is a split level structure and the applicant maintains it would be structurally impractical to install an exterior elevator serving all levels as well as being cost prohibitive. No cost estimates were submitted with the application, but should be available for review prior to the Council meeting.

Project Progress:

The project is under design. .

Items to be Waived:

Vertical accessibility to a parking level addition, as required by Section 553.509, Florida Statutes.

553.509 Vertical accessibility. Nothing in Sections 553.501-553.513 or the guidelines shall be construed to relieve the owner of any building, structure or facility governed by those sections from the duty to provide vertical accessibility to all levels above and below the occupiable grade level regardless of whether the guidelines require an elevator to be installed in such building, structure or facility, except for:

- (1) Elevator pits, elevator penthouses, mechanical rooms, piping or equipment catwalks and automobile lubrication and maintenance pits and platforms;
- (2) Unoccupiable spaces, such as rooms, enclosed spaces and storage spaces that are not designed for human occupancy, for public accommodations or for work areas; and
- (3) Occupiable spaces and rooms that are not open to the public and that house no more than five persons, including, but not limited to equipment control rooms and projection booths.

Waiver Criteria: There is no specific guidance for a waiver of this requirement in the code. The Commission's current rule, authorized in Section 553.512, Florida Statutes, provides criteria for granting waivers and allows consideration of unnecessary or extreme hardship to the applicant if the specific requirements were imposed.

This application is available in alternate formats upon request.

**REQUEST FOR WAIVER FROM ACCESSIBILITY REQUIREMENTS
OF CHAPTER 553, PART V, FLORIDA STATUTES**

Your application will be reviewed by the Accessibility Advisory Council and its recommendations will be presented to the Florida Building Commission. You will have the opportunity to answer questions and/or make a short presentation, not to exceed 15 minutes, at each meeting. The Commission will consider all information presented and the Council's recommendation before voting on the waiver request.

1. Name and address of project for which the waiver is requested.

Name: Regions Tower
Address: 1555 Palm Beach Lakes Boulevard
West Palm Beach, Florida 33401

2. Name of Applicant. If other than the owner, please indicate relationship of applicant to owner and written authorization by owner in space provided:

Applicant's Name: See Owner information below.

Applicant's Address: _____

Applicant's Telephone: _____ FAX: _____

Applicant's E-mail Address: _____

Relationship to Owner: _____

Owner's Name: Regions Financial Tower, LLLP

Owner's Address: 1555 Palm Beach Lakes Boulevard, West Palm Beach, Fl. 33401

Owner's Telephone: (561) 686-2000 FAX (561) 686-5553

Owner's E-mail Address: joannetteg@ecclestone.com

Signature of Owner:  H

Contact Person: Andrew Deitz

Contact Person's Telephone: (561) 686-1555 E-mail Address: ADEITZ1038@aol.com

This application is available in alternate formats upon request.
Form No. 2001-01

3. Please check one of the following:

New construction.

Addition to a building or facility.

Alteration to an existing building or facility.

Historical preservation (addition).

Historical preservation (alteration).

4. Type of facility. Please describe the building (square footage, number of floors). Define the use of the building (i.e., restaurant, office, retail, recreation, hotel/motel, etc.)

A one level addition to an existing 4/5 story parking garage (468 spaces), which provides parking for a 15-story office building, completed in 1986.

5. Project Construction Cost (Provide cost for new construction, the addition or the alteration):

6. Project Status: Please check the phase of construction that best describes your project at the time of this application. Describe status.

Under Design Under Construction*

In Plan Review Completed*

* Briefly explain why the request has now been referred to the Commission.

The Owner wishes to add one parking level to the existing 4/5 story garage and desires a waiver to the section of the building code requiring elevator accessibility to each level.

7. **Requirements requested to be waived.** Please reference the applicable section of Florida law. Only Florida-specific accessibility requirements may be waived.

Issue

1: 11-4.1.6 (1) (f) Accessible Buildings: Alterations “Nothing in this section shall be construed to relieve the Owner of any building, structure or facility from the duty to provide vertical accessibility to all levels above and below occupiable grade level” The existing garage does not have an elevator and the existing accessible spaces are located at grade (three are in the garage and nine are uncovered).

Issue

2: _____

Issue

3: _____

8. **Reason(s) for Waiver Request:** The Florida Building Commission may grant waivers of Florida-specific accessibility requirements upon a determination of unnecessary, unreasonable or extreme hardship. Please describe how this project meets the following hardship criteria. Explain all that would apply for consideration of granting the waiver.

[X] The hardship is caused by a condition or set of conditions affecting the owner which does not affect owners in general.

- A. The existing 4/5 story (468 spaces in the garage and 60 existing surface spaces, 528 total existing spaces) was completed in 1986 and 11-4.1.6 exempts buildings, which were in existence on or before Oct. 1, 1997. Vertical accessibility to all levels was not required for levels 4/5.
- B. The additional parking level (108 spaces) is not required by the zoning code and is being added for convenience. Installing an elevator on either side (north or south) to service this additional upper level would be both cost prohibitive and functionally unreasonable.

- C. The building was permitted in 1984 and constructed and finished with a Certificate of Occupancy in 1986. The Owner desires to add approximately 108 spaces in the form of two, half parking levels above the existing structure in order to respond to the needs of his tenants.
- D. The structure is a “split level” design that would require the installation of an elevator on both the north and south sides of the building. The northern side of the building fronts on a public street is not considered as a point of building entry and is over 250’ from the 1st floor building entry.
- E. Currently, nine (9) 12’ wide spaces (without the adjacent 5’ wide aisle) on the 1st level of the garage.
- F. Four of the code-required 13 accessible spaces are on the 1st level of the garage and have direct grade level accessibility to the office tower (as do all other spaces).
- G. Owner will “re-stripe” the spaces in the garage (adding aisles) to then provide four handicap spaces in the garage and eight new grade level spaces adjacent to the office building.
- H. Thirteen (13) ADA accessible parking spaces are provided at grade, as required by code (2% of the total number of parking spaces (636) after the addition to the parking garage). Four (4) covered spaces are located on the first grade level of the parking structure, representing 30.7% of the total ADA spaces required.
- I. It should be noted that the percentage of the ADA accessible spaces (4), divided by the total number of parking spaces (636) provided at 30.7% far exceeds the proportional ratio of ADA spaces/total spaces (12/636) at 1.9%.
- J. The Owner has agreed to construct two (2) additional fire protected stairs (one on the east and the other on the western side of the building) as part of adding the additional levels thereby enabling the garage to meet the egress portion of the Life Safety Code for ALL LEVELS.. While this addition does not satisfy the vertical accessibility requirement, it does demonstrate the Owner’s desire to substantially improve the condition of the existing garage.

[] Substantial financial costs will be incurred by the owner if the waiver is denied.

[] The owner has made a **diligent investigation** into the costs of compliance with the code, but cannot find an efficient mode of compliance. Provide detailed cost estimates and, where appropriate, photographs. Cost estimates must include bids and quotes.

9. Provide documented cost estimates for each portion of the waiver request and identify any additional supporting data which may affect the cost estimates. For example, for vertical

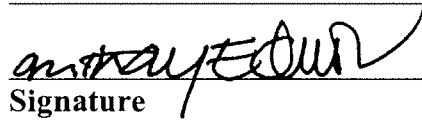
accessibility, the lowest documented cost of an elevator, ramp, lift or other method of providing vertical accessibility should be provided, documented by quotations or bids from at least two vendors or contractors.

a. _____

b. _____

c. _____

10. **Licensed Design Professional:** Where a licensed design professional has designed the project, his or her comments **MUST** be included and certified by signature and affixing of his or her professional seal. The comments must include the reason(s) why the waiver is necessary.


Signature

Anthony E. Oliver
Printed Name
FL Registration # 0005421

Phone number 561-684-6841


(SEAL)



CERTIFICATION OF APPLICANT:

I hereby swear or affirm that the applicable documents in support of this Request for Waiver are attached for review by the Florida Building Commission and that all statements made in this application are to the best of my knowledge true and correct.

Dated this _____ day of March _____, 2006



Signature E. Llwyd Ecclestone, President

Regions Financial Tower, LLLP

By: 1555 Operating Company

Printed Name By: E. Llwyd Ecclestone, President

By signing this application, the applicant represents that the information in it is true, accurate and complete. If the applicant misrepresents or omits any material information, the Commission may revoke any order and will notify the building official of the permitting jurisdiction. Providing false information to the Commission is punishable as a misdemeanor under Section 775.083, Florida Statutes.

REVIEW AND RECOMMENDATION BY LOCAL BUILDING DEPARTMENT.

Please state why the issue is being referred to the Florida Building Commission as well as a recommendation for disposition. The Building Official or his or her designee should review the application and indicate that to the best of his or her knowledge, all information stipulated herein is true and accurate. Further, if this project is complete, explain why it is being referred to the Commission. The Building Official or his or her designee should sign a copy of the plans accompanying this application as certification that such plans are the same as those submitted for building department review. Please reference the applicable section of the Accessibility Code.

a. _____

Has there been any permitted construction activity on this building during the past three years? If so, what was the cost of construction?

Yes No Cost of Construction _____

Comments/Recommendation _____

Jurisdiction City of West Palm Beach

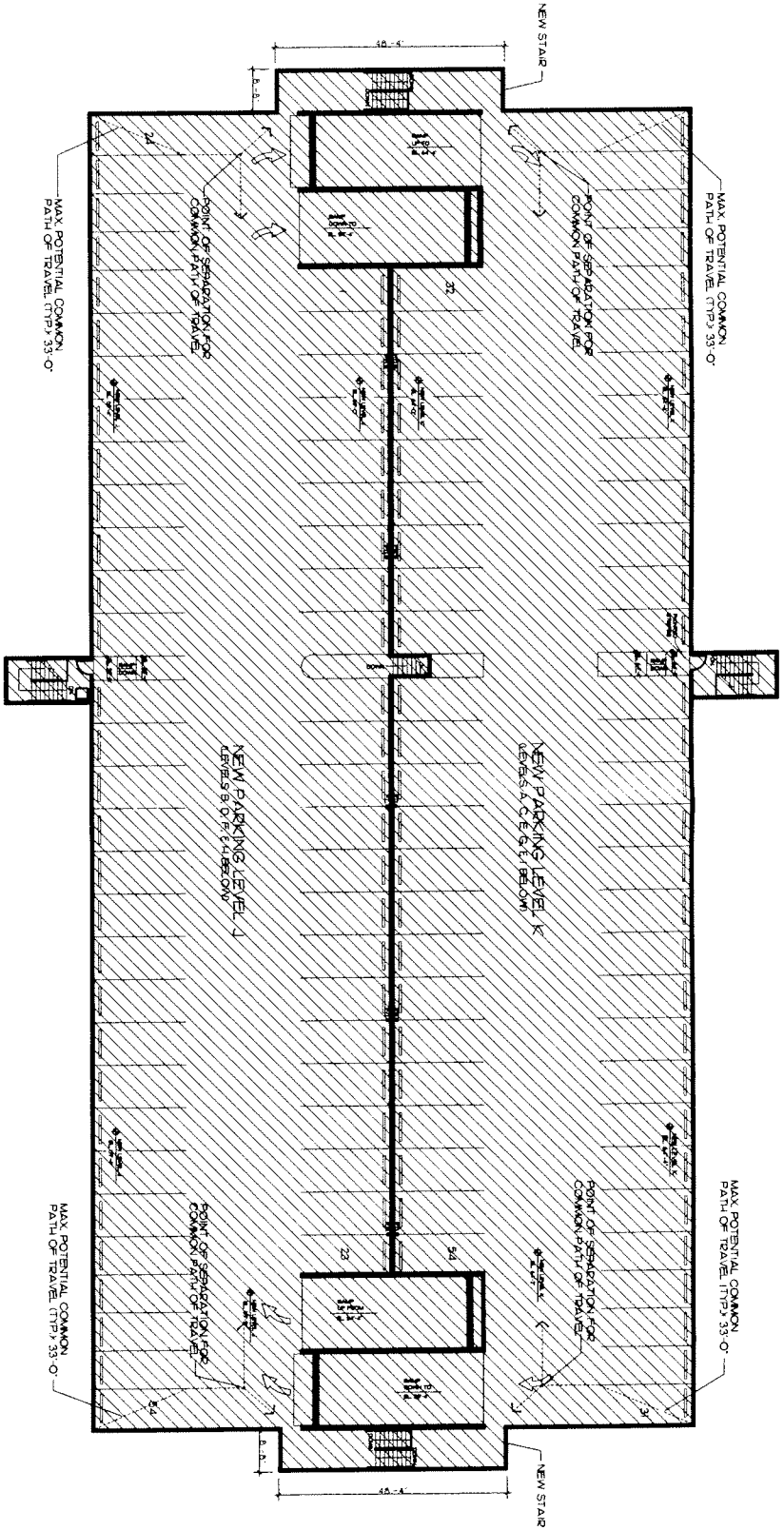
Building Official or Designee

Signature
Neil Melick
Printed Name

Certification Number

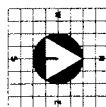
561-659-8056 PH/ 561-659-8026
Telephone/FAX

Address: 200 2nd St. P.O. Box 3366 West Palm Beach, FL 33402



UPPER LEVEL PLAN
SCALE: 1/8" = 1'-0"

FLOOR PLAN
SCALE: 1/8" = 1'-0"



| | | |
|------------------|------------------------------|--------------|
| A-1.1 | sheet title UPPER LEVEL PLAN | revisions |
| | file name 05183-FP-B.DWG | |
| project no 05183 | date 04/03/05 | drawn by KPC |
| checked by EO | | |

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| 1555 FORUM PLACE PARKING GARAGE WEST PALM BEACH, FLORIDA |
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1555 FORUM PLACE

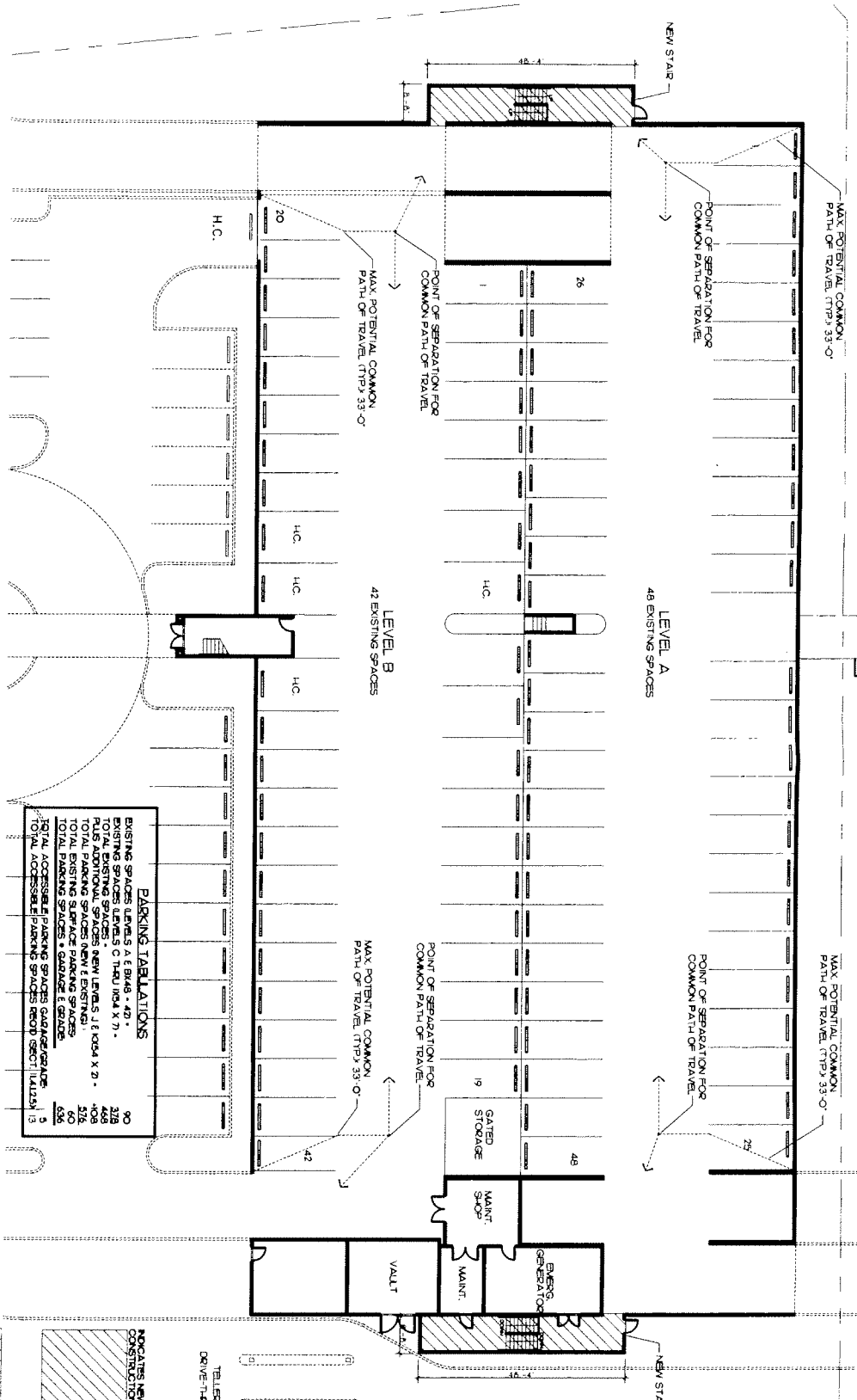
PARKING GARAGE
WEST PALM BEACH, FLORIDA



OLIVER GLIDDEN SPINA & PARTNERS
ARCHITECTS - INTERIOR DESIGN, INC.

PROJECT NO. 05183
DATE: 04/03/05
DRAWN BY: KPC
CHECKED BY: EO

GROUND FLOOR PLAN
SCALE: 1/8" = 1'-0"



A-1.0

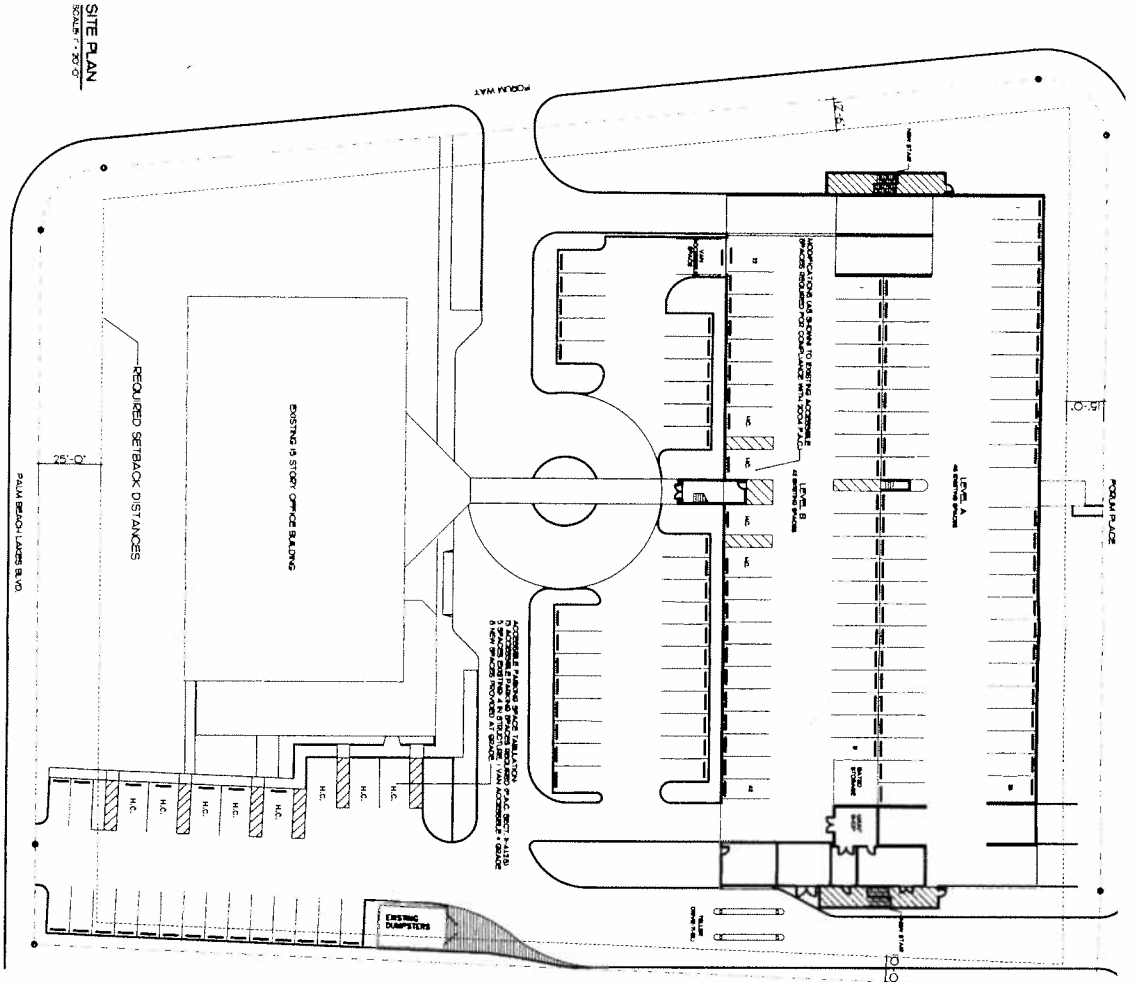
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| Project no: 05183 | revisions |
| Date: 04/03/06 | |
| Drawn by: KPC | |
| Checked by: EG | |

1555 FORUM PLACE
PARKING GARAGE
WEST PALM BEACH, FLORIDA

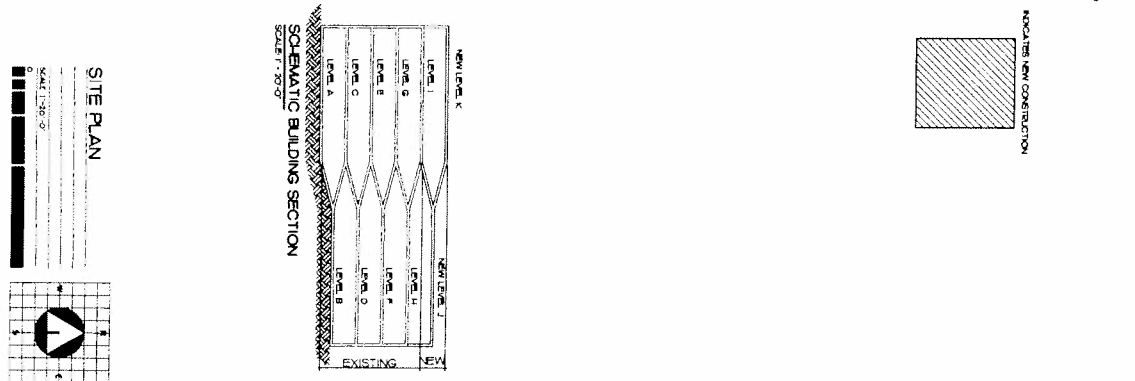


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SITE PLAN
SCALE: 1"=20'-0"



SCHEMATIC BUILDING SECTION
SCALE: 1"=20'-0"

SITE PLAN
SCALE: 1"=20'-0"



SP-1

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| sheet title: SITE PLAN file path: 05183-SP.DWG | revisions |
| project no: 05183 | date: 04/03/06 |
| drawn by: KPC | checked by: EO |

1555 FORUM PLACE
PARKING GARAGE
WEST PALM BEACH, FLORIDA



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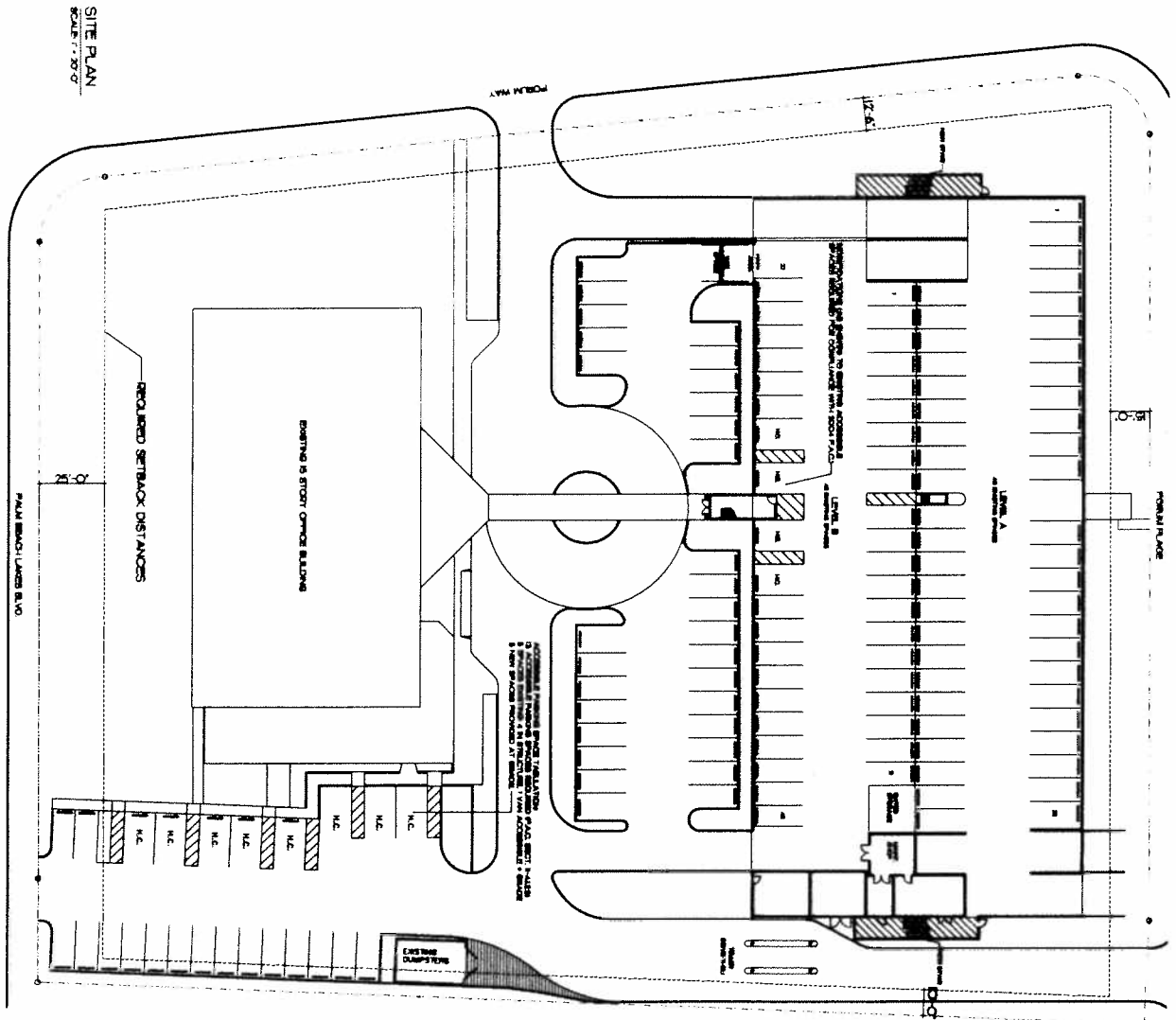




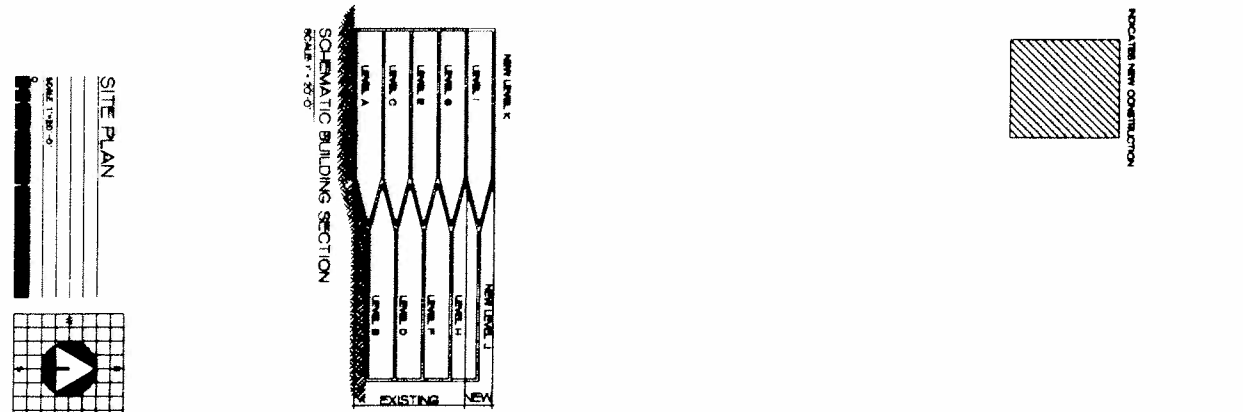






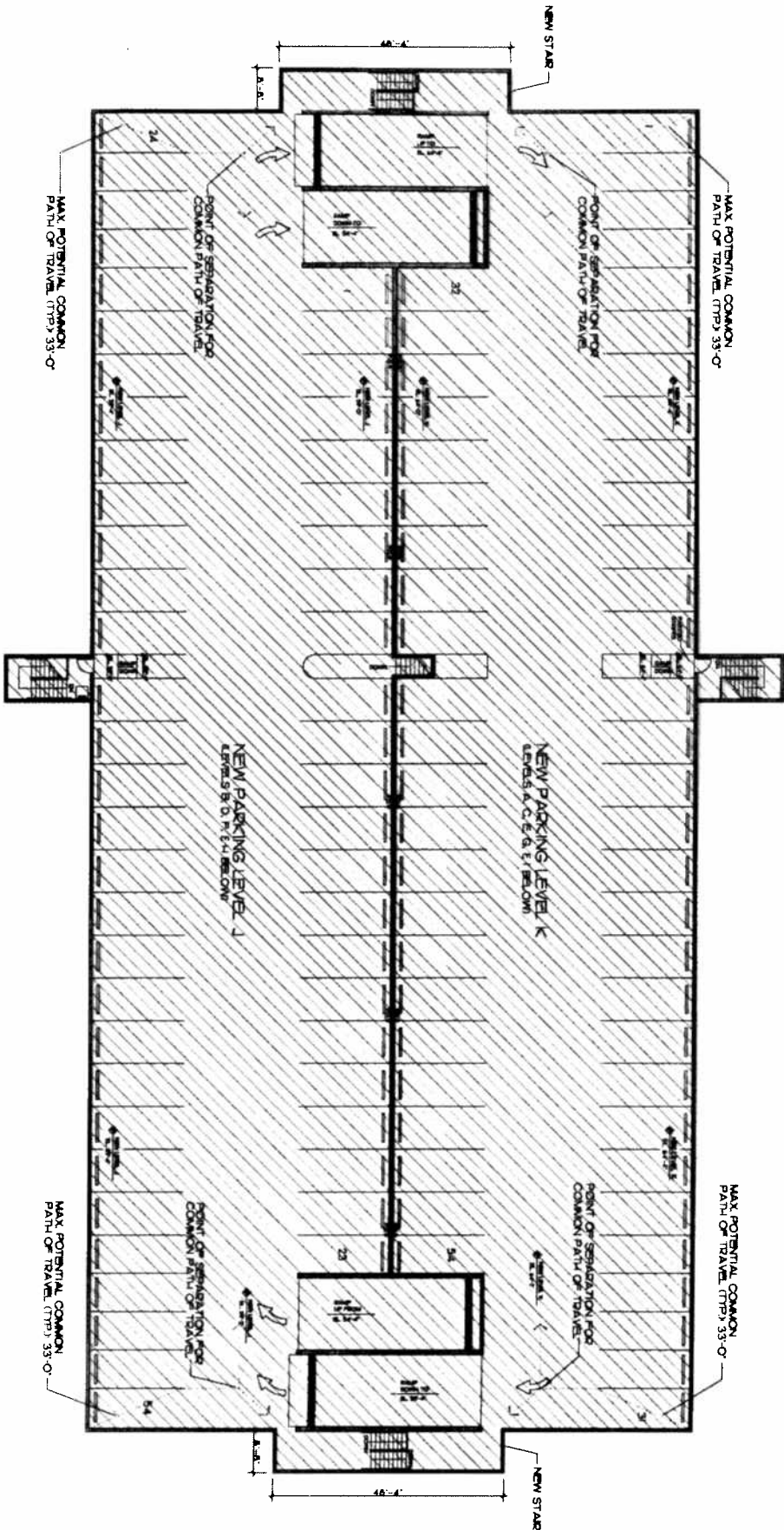


SITE PLAN
SCALE: 1"=30'



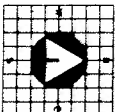
SCHEMATIC BUILDING SECTION
SCALE: 1"=30'

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| | Project No: 05183 Date: 04/30/06 Drawn by: KPC Checked by: EO | | |



UPPER LEVEL PLAN
SCALE: 1/8"=1'-0"

FLOOR PLAN



A-1.1

| | |
|------------------------------|------------|
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| File name: 0518-FP-8.DWG | |
| project no: 06183 | revisions: |
| date: 04/30/08 | |
| drawn by: KPC | |
| checked by: EO | |

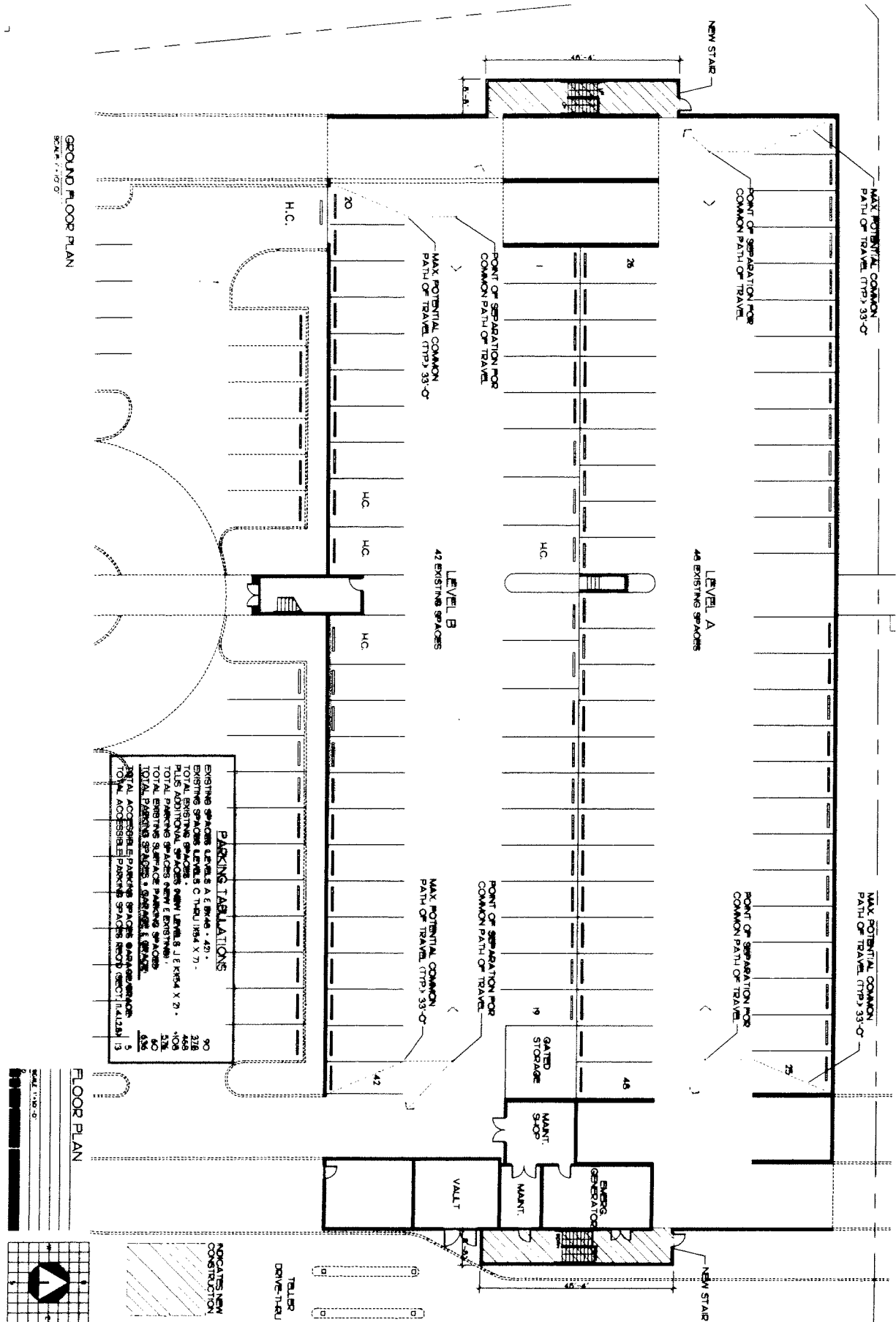
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A-1.0

sheet title: GROUND FLOOR PLAN
file name: 05183-PP-8.DWG

project no: 05183
date: 04/03/08
drawn by: KPC
checked by: EO

revisions:

1555 FORUM PLACE

PARKING GARAGE
WEST PALM BEACH, FLORIDA



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